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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,185	06/14/2001	Tsuneharu Takeda	01362/LH	8009

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EXAMINER

SON, LINH L D

ART UNIT PAPER NUMBER

2135

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,185

Applicant(s)

TAKEDA, TSUNEHARU

Examiner

Linh LD Son

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 June 2001.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This Office Action is written in responding to the Amendment received on 06/27/05.
2. Claims 1-15 are canceled.
3. Claims 16-18 are newly added and pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamamoto et al, US Patent No 6307940B1, hereinafter "Yamamoto", in view of Chiba et al, US Patent No. 5588075, hereinafter "Chiba".
6. As per claims 16-18, Yamamoto discloses "A ciphering apparatus comprising; a blocking section which divides plaintext into blocks;

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a sub-blocking section which divides at least one of the blocks into sub-blocks (Col 18 lines 58-64, "the plain text is divided into different segment and each segment is composed of 5 and 10 blocks");

a block attribute setting section which sets a ciphering attribute for each of the blocks for use in ciphering (Col 8 lines 58-64, "k1 and k2 is key set for segment of 10 blocks and 5 blocks");

a sub-block attribute setting section which sets a sub-ciphering attribute for each of the sub-blocks for use in ciphering a sub-block ciphering section which ciphers data of each of the sub-blocks in accordance with the corresponding sub ciphering attribute set by the sub-block attribute setting section (Col 18 lines 58-64, "K1 is a key set to encrypt each one of the block within the segment of 10 blocks", Col 18 lines 29-47, Col 19 line 40 to Col 20 line 67);

However, Yamamoto only teaches a segment of 5 or 10 or 15 ciphered blocks, and is silent on "a block ciphering section which ciphers the at least one block that included the ciphered data of the sub-blocks in accordance with the ciphering attribute corresponding to the block set by the block attribute setting section".

Nevertheless, Chiba discloses the "Method and Apparatus for Encoding and decoding image data" invention, which includes a method of dividing an image data into a number of blocks and allocating the number of blocks into a macro-block. The step further teach encoding the divided block before allocating into a macro-block, and further encoding the macro-block and creating encoding attributes within the encoded macro-block (Col 6 lines 30-65, Col 10 line 40 to Col 11 line 27, and figure 10).

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Therefore, it would have been obvious for one having ordinary skill in the art at the time of the invention was made to modify and incorporate Chiba's image encoding method by encoding the macro-block of s number encoded blocks with Yamamoto text ciphering method to cipher the segment of 5 or 10 or 15 ciphered blocks again with the motivation of increasing the strength of ciphering to prevent the unauthorized party to compromise the cipher text.

Conclusion

7. Applicant had canceled claims 1-15 and added new claims 16-18, which necessitated new grounds of rejection. See Rejections above.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh LD Son whose telephone number is 571-272-3856.

The examiner can normally be reached on 9-6 (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Linh LD Son
Examiner
Art Unit 2135


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2135